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Before the
Federal Communications Commission

Washington, DC 20554

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Amendment of Part 74 of) RM - 7772
)
the Commission's Rules)
and Regulations with)
Regard to the Low Power)
Television Service)

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FILE

To: The Commission

Comments of W43AG, Hopkinsville, Ky.

W43AG, Hopkinsville, Kentucky, respectfully submits these comments to Petition No. RM - 7772 filed by the Community Broadcasters Association on June 10, 1991.

W43AG, hereinafter referred to as TV-43 signed on the air in August, 1984, and has operated continuously since that time. Over the seven year period, the station has developed a unique format consisting substantially of local news, sports, and community events, integrated with satellite delivered national and world news programs from CNN and the Conus Communications operated All News Channel. Approximately thirty percent (30%) of the station's programming is locally produced.

As a result of this intensive local programming, the station has been recognized repeatedly by various organizations, leading the station to use the slogan, "Nationally Recognized For Excellence In Local Programming." Among the organizations recognizing TV-43 with awards are the Associated Press, The Kentucky Broadcaster's Association, The Community Broadcaster's Association, TELEVISION BROADCAST magazine, and the U.S. Army. TV-43 has received a total of eighteen (18) significant state and national awards for its local news, sports, and local programming efforts. An example of the type of local programming done by TV-43 would be our specialized local coverage of the Gulf War. Fort Campbell, Kentucky, home of the 101st Airborne Division/Air Assault is ten miles south of us. When First Lady Barbara Bush spoke at Fort Campbell, she singled out TV-43 for our

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contributions. In addition to intensive day to day coverage on our local newscasts, we were the only television station which covered the return of EVERY aircraft to Fort Campbell from the war. We were the ONLY television station which provided LIVE coverage of the return of the Commanding General and the Division Colors, which signified the return to the post of the entire division.

During our seven years of operation, TV-43 has encountered many of the problems addressed by the CBA Petition for Rule Making RM -7772 and through these comments wishes to express support for the petition.

First, we encourage the Commission to change the name of the service to the Community Television Service, or in the alternative, to drop any reference to what are now "Low Power" stations. One of the stated purposes of the petition was to urge the commission to make the "Low Power Television Service" a part of a unified television industry. To continue to "define" the stations as "low power" makes that unification difficult. Some observers read "low power" as "low class." There are no references made outside of technical bounds to local radio stations as "Class A", "Class C-3", etc. These definitions are meaningless to the audience. They do not care what "class" a station holds, but rather they care about the programming. Television viewers do not care whether a station's power is high or low; they care about its programming. If we must have "low power" stations, perhaps we should re-name some of the domestic fixed satellites "low power", as some of their transponders have only a few watts. Viewers do not care about the power, but only about what they see on their screens. To continue to call the service "low power" is to no ones benefit. In fact, a review of the BROADCASTING YEARBOOK at about the time we signed on the air revealed over twenty (20) stations licensed in the full power television service, which were operating with less Effective Radiated Power, than our own station. Almost every station currently licensed in the low power service radiates more power than the minimum amount required by the FCC regulations of stations licensed in the "full power" television service.

which were authorized to enforce agreements in effect

audience and credibility, it must be remembered that in many areas, particularly rural areas, it is the "synergism" between low power stations and other media under common ownership that have allowed the low power stations to develop and prosper. In the case of TV-43, without our newspaper ownership, we would not have succeeded. Because of that ownership, a small community now has local television service that it would not otherwise have. Considering the current regulatory environment which is generally raising the cap on the amount of stations or entities that any one corporation can control, any changes in the current ownership restrictions on low power stations should be carefully studied.

TV-43 agrees that stations requesting "Community" status as defined in the petition should be required to keep documentation sufficient to demonstrate its continuing ability to qualify for the "community" status. The Commission should be mindful, however, that "community" stations are small operations with limited staff and resources. This commenter recalls from the earlier days of radio the endless hours spent at license renewal time gathering all of the information necessary to document that stations were in fact serving the public interest. After one year, we believe that an annual certification, perhaps verified by logs randomly chosen by the commission, would be sufficient to document that the station was in fact meeting the criteria necessary to continue its "community" status. It is our position that if the Commission creates this "community" station status, there will no longer be a need for the "Low Power" television service. All stations currently licensed as Low Power or as Translators would be licensed either as "community" stations or as "translators". Community stations would have four (or six) letter calls; translators would continue to have the five letter calls.

TV-43, as one of the oldest stations licensed in the Low Power Television Service, believes the interest of the industry, and foremost, the public interest, would best be served by the Commission's adoption of RM - 7772.



W43AG

D. J. Everett III, General Manager